

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01998-RCL**

KREMERS URBAN PHARMACEUTICALS INC. v. UNITED STATES FOOD AND DRUG ADMINISTRATION

Assigned to: Judge Royce C. Lamberth

Case: 1:17-cv-00050-RCL

Cause: 05:552 Freedom of Information Act

Date Filed: 09/27/2017

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**KREMERS URBAN
PHARMACEUTICALS INC.**

represented by **Brian D. Boone**
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street
Suite 4000
Charlotte, NC 28280
(704) 444-1106
Fax: (707) 444-1111
Email: brian.boone@alston.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES FOOD AND DRUG
ADMINISTRATION**

represented by **Paul Cirino**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2529
Fax: (202) 252-2599
Email: paul.cirino@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joshua M. Kolsky
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2541
Fax: (202) 252-2599
Email: joshua.kolsky@usdoj.gov
TERMINATED: 12/20/2018

Date Filed	#	Docket Text
09/27/2017	<u>1</u>	COMPLAINT against UNITED STATES FOOD AND DRUG ADMINISTRATION (Filing fee \$ 400 receipt number 0090-5134959) filed by KREMERS URBAN PHARMACEUTICALS INC.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(Boone, Brian) (Entered: 09/27/2017)
09/27/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by KREMERS URBAN PHARMACEUTICALS INC. (Boone, Brian) (Entered: 09/27/2017)
09/27/2017	<u>3</u>	NOTICE OF RELATED CASE by KREMERS URBAN PHARMACEUTICALS INC.. Case related to Case No. 1:17-cv-50. (Boone, Brian) (Entered: 09/27/2017)

09/27/2017	<u>4</u>	NOTICE of Appearance by Brian D. Boone on behalf of KREMERS URBAN PHARMACEUTICALS INC. (Boone, Brian) (Entered: 09/27/2017)
09/28/2017		Case Assigned to Judge Royce C. Lamberth. (zsb) (Entered: 09/28/2017)
09/28/2017	<u>5</u>	SUMMONS (3) Issued Electronically as to UNITED STATES FOOD AND DRUG ADMINISTRATION, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 09/28/2017)
10/04/2017	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/2/2017. Answer due for ALL FEDERAL DEFENDANTS by 11/1/2017. (Boone, Brian) (Entered: 10/04/2017)
10/04/2017	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES FOOD AND DRUG ADMINISTRATION served on 10/2/2017 (Boone, Brian) (Entered: 10/04/2017)
10/04/2017	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/2/2017. (Boone, Brian) (Entered: 10/04/2017)
11/01/2017	<u>9</u>	NOTICE of Appearance by Joshua M. Kolsky on behalf of UNITED STATES FOOD AND DRUG ADMINISTRATION (Kolsky, Joshua) (Entered: 11/01/2017)
11/01/2017	<u>10</u>	ANSWER to Complaint by UNITED STATES FOOD AND DRUG ADMINISTRATION.(Kolsky, Joshua) (Entered: 11/01/2017)
02/05/2018	<u>11</u>	ORDER setting deadline for Defendant's Dispositive Motions by 2/16/2018. Signed by Judge Royce C. Lamberth on 2/2/18. (lsj) (Entered: 02/05/2018)
02/12/2018	<u>12</u>	Consent MOTION to Stay <i>Briefing Schedule</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION (Kolsky, Joshua) (Entered: 02/12/2018)
02/28/2018	<u>13</u>	Joint STATUS REPORT and <i>Motion to Stay Scheduling Order</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Kolsky, Joshua) (Entered: 02/28/2018)
02/28/2018	<u>14</u>	MOTION to Stay <i>Scheduling Order</i> and <i>Joint Status Report</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION (Kolsky, Joshua) (Entered: 02/28/2018)
03/23/2018	<u>15</u>	ORDER granting <u>12</u> Motion to Stay for 30 days, nunc pro tunc. Signed by Judge Royce C. Lamberth on 3/22/18. (lsj) (Entered: 03/23/2018)
03/23/2018	<u>16</u>	ORDER granting <u>14</u> Motion to Stay Scheduling Order. Signed by Judge Royce C. Lamberth on 3/22/18. (lsj) (Entered: 03/23/2018)
12/20/2018	<u>17</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Paul Cirino on behalf of UNITED STATES FOOD AND DRUG ADMINISTRATION Substituting for attorney Joshua M. Kolsky (Cirino, Paul) (Entered: 12/20/2018)
01/30/2019	<u>18</u>	ORDER requiring the parties to meet and confer. Signed by Judge Royce C. Lamberth on 1/30/2019. (lcrc12) (Entered: 01/30/2019)
02/27/2019	<u>19</u>	NOTICE of Proposed Order by UNITED STATES FOOD AND DRUG ADMINISTRATION (Cirino, Paul) (Entered: 02/27/2019)
04/15/2019	<u>20</u>	ORDER entered, nunc pro tunc. Signed by Judge Royce C. Lamberth on 4/11/19. (lsj) (Entered: 04/15/2019)
04/17/2019	<u>21</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Cirino, Paul) (Entered: 04/17/2019)
04/18/2019		MINUTE ORDER: Upon consideration of the April 17, 2019, Joint Status Report <u>21</u> , a further Joint Status Report shall be filed on or before May 31, 2019. Signed by Judge Royce C. Lamberth on 4/18/2019. (lcrc11) (Entered: 04/18/2019)
04/25/2019		Set/Reset Deadlines: Joint Status Report due by 5/31/2019 (lsj) (Entered: 04/25/2019)
05/31/2019	<u>22</u>	Joint STATUS REPORT by UNITED STATES FOOD AND DRUG ADMINISTRATION. (Cirino, Paul) (Entered: 05/31/2019)

10/29/2019	<u>23</u>	Joint MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES FOOD AND DRUG ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 10/29/2019)
10/30/2019	<u>24</u>	ORDER granting <u>23</u> Motion to Modify Briefing Schedule. Plaintiff will complete its review and present Defendant with a proposal to narrow the issues in dispute by December 18, 2019. Defendant will file any motion for summary judgment on February 5, 2020. Plaintiff will file any cross-motion for summary judgment and opposition to Defendant's motion on March 20, 2020. Defendant will file any opposition to Plaintiff's cross-motion and reply in support of its motion on April 21, 2020. Plaintiff will file any reply supporting its cross-motion on May 8, 2020. Signed by Judge Royce C. Lamberth on 10/30/2019. (lcrc12) (Entered: 10/30/2019)
10/31/2019		Set/Reset Deadlines: Summary Judgment motions due by 2/5/2020. Response to Motion for Summary Judgment due by 3/20/2020. Reply to Motion for Summary Judgment due by 4/21/2020. Replies due by 5/8/2020. (lsj) (Entered: 10/31/2019)